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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

BRODIE SIMON

CIVIL ACTION NO. 07-0427

VERSUS

JUDGE DOHERTY

INTERNATIONAL MARINE, LLC

MAGISTRATE JUDGE METHVIN

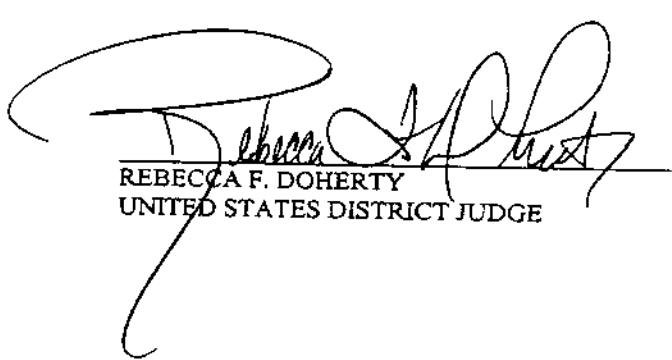
ORDER

For the reasons set forth in the Memorandum Ruling dated February 6, 2009,

IT IS HEREBY ORDERED that Apache's motion for summary judgment stating that Dynamic owes defense and indemnity to Apache and its subcontractor Alliance pursuant to the August 8, 1996 Master Service Contract [Doc. 94] is DENIED.

IT IS FURTHER ORDERED that Dynamic's motion for summary judgment "declaring that there is no genuine issue of material contractual defense and indemnity to either Apache or Alliance" is GRANTED, and Apache's counterclaim against Dynamic for defense and indemnity from Dynamic [Doc. 99] is DISMISSED WITH PREJUDICE.

THUS DONE AND SIGNED in Chambers, Lafayette, Louisiana, this 6 day of February, 2009.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE